UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

08 Civ. 5001 (PKC   )

JOSEPH L. TEDESCO, PHOENIX CAPITAL
WORLDWIDE II, L.P. and PHOENIX CAPITAL
WORLDWIDE MANAGEMENT II, LLC,
                              Plaintiffs ,

- against

JASON JOHN KONIOR, PHOENIX CAPITAL
WORLDWIDE, LP and PHOENIX CAPITAL
WORLDWIDE MANAGEMENT, LLC,

                              Defendants.

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DATE FILED: 6/19/08
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PRELIMINARY INJUNCTION ORDER

This matter having come before the Court on June 4, 2008 upon the motion (the "Motion") of plaintiffs Phoenix Capital, Worldwide II, L.P., Phoenix Capital Worldwide Management II, LLC, and Joseph Tedesco ("Plaintiffs"), in accordance with an order to show cause issued by the Court on May 30, 2008; and the Court having read and considered the papers, pleadings and documents on file and having heard the oral argument of counsel for the Plaintiff; and, the Defendants having failed to appear or submit papers in opposition to the Plaintiff's motion, it is hereby:

ORDERED, that pursuant to Rule 65 of the Federal Rules Civil Procedure, the Motion is granted to the extent that defendants Jason John Konior, Phoenix Capital Worldwide, LP and Phoenix Capital Worldwide Management, LLC, ("Defendants") are immediately, upon entry of this Order, enjoined from conducting business under the trade names Phoenix Capital Worldwide, LP, Phoenix Capital Worldwide Management, LLC or under the initials PCW or PCWM or under any trade name incorporating the word Phoenix, pending a trial on the merits of this matter; and it is further
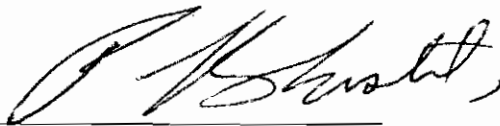
ORDERED, that the branch of the Motion seeking to enjoin the Defendants from rendering advice to investors is denied; and it is further

ORDERED, that the Plaintiffs shall post a bond in the amount of ten thousand dollars within

three business days of the signing by the Court of this Order; and it is further

ORDERED, that this order be personally served upon the defendants or their counsel.

DATED: New York, New York
June 9, 2008

ISSUED: 9:10   AM

_____, U.S.D.J.

United States District Judge